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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO/OAKLAND DIVISION

14 WILLIAM HELM, DEBORAH PRISE,) Case No. CV 08-1184-SI
15 HEATHER P. RADY, et al., on behalf of)
16 themselves and all other employees and former) **STIPULATION TO FILE DOCUMENT**
17 employees similarly situated,) **UNDER SEAL; [PROPOSED] ORDER**
18 Plaintiffs,)
19)
20 v.)
21)
22 ALDERWOODS GROUP, INC.,)
23)
24 Defendant.)
25 _____
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STIPULATION

Previously, Plaintiffs and Defendants agreed to, and the Court entered, a Stipulated Protective Order Pursuant to Fed. R. Civ. P. 26(C). (*Bryant* Docket No. 112; *Helm* Docket No. 124). That Protective Order, *inter alia*, set out a procedure permitting parties to designate certain discovery materials “CONFIDENTIAL.” In response to discovery demands in this case, Defendants have designated certain documents “CONFIDENTIAL” pursuant to the Protective Order, and Plaintiffs have not currently challenged some of those designations.

Pursuant to Civil Local Rules 79-5 and 7-12, Plaintiffs and Defendants in these matters, through their undersigned counsel, hereby stipulate that in responding to Defendants' pending motions to dismiss, Plaintiffs may file under seal pursuant to the Protective Order the following documents, each of which has been designated "CONFIDENTIAL" by Defendants:

1. SCI Cash Balance Plan, bates number SCI(BRY) 00196 - 00271
2. “SCI 401(K) Retirement Savings Plan” Documents, bates number SCI(BRY) 00015 - 00195
3. Employee Handbooks, bates number SCI(BRY) 00272 - 00410
4. Flowcharts, bates number SCI(BRY) 00411 - 00414
5. Written agreements executed by Curtis Briggs, bates number CBRIGGS 0009 – 0029
6. Transcript of the deposition of Thomas Ryan taken on April 22, 2009
7. Plaintiffs’ Opposition to Defendants’ Motion to Dismiss Amended Complaint Pursuant to FRCP 12(b)(6) (Lack of *In Personam* Jurisdiction) or, Alternatively, FRCP 12(b)(6) (Failure to State a Claim Upon Which Relief Can be Granted), which describes and quotes from materials Defendants have designated as “CONFIDENTIAL”
8. Plaintiffs’ Consolidated Declaration of Sarah Cressman in Opposition to Defendants’ Motions to Dismiss, for Partial Judgment on the Pleadings, and to Strike and Require a More Definite Statement and Motions for Stay and Award of Attorney Fees and Costs Pursuant to FRCP 41(d), which describes and quotes from materials Defendants have designated as “CONFIDENTIAL”

STIPULATION TO FILE DOCUMENTS UNDER SEAL; [PROPOSED] ORDER
Case No. CV 08-1184

1 **AGREED TO:**
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4 /s/ Annette Gifford

5 Thomas & Solomon LLP
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9 Attorneys for Plaintiffs

/s/ Nicholas P. Forestiere

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STIPULATION TO FILE DOCUMENTS UNDER SEAL; [PROPOSED] ORDER
Case No. CV 08-1184

ORDER

Pursuant to the Stipulation of counsel and good cause appearing, the Court hereby orders that, in responding to Defendants' pending motions to dismiss, Plaintiffs may file under seal pursuant to the Protective Order the following documents, each of which has been designated "CONFIDENTIAL" by Defendants:

1. SCI Cash Balance Plan, bates number SCI(BRY) 00196 - 00271
2. “SCI 401(K) Retirement Savings Plan” Documents, bates number SCI(BRY) 00015 - 00195
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IT IS SO ORDERED:

Susan Illston

Honorable Susan Illston

United States District Court

STIPULATION TO FILE DOCUMENTS UNDER SEAL; [PROPOSED] ORDER
Case No. CV 08-1184